UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/506,225	02/17/2000	Rabindranath Dutta	AUS000101US1	7208

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ART UNIT	PAPER NUMBER
2135	

DATE MAILED: 01/27/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

PTO 90C (Rev 10/03)

	Application No.	Applicant(s)
Office Action Summary	09/506,225	DUTTA, RABINDRANATH
	Examiner	Art Unit
	Tracey Akpati	2135

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) FROM
THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed
after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any
  earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on <u>09 August 2004</u>.

2a)☒ This action is **FINAL.** 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is
closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) <u>1-39</u> is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) <u>1-39</u> is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on <u>17 February 2000</u> is/are: a)☒ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage
application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☐ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
    Paper No(s)/Mail Date _____.

4)☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____.

5)☐ Notice of Informal Patent Application (PTO-152)

6)☐ Other: _____.

DETAILED ACTION

1. Claims 1-39 are pending. Claims 1, 5, 8, 16, 19, 21, 22, 26, 29, 37 and 38 have been
amended. This action is final

2. The 112 rejection has been overcome due to the attorney's amendment.

Response to Arguments

Applicant's arguments filed 8/9/04 have been fully considered but they are not
persuasive.

1. *The attorney argues that Bryant does not teach the new limitation of sending a set of
identifiers used to reach content to a validation service.* Bryant clearly teaches this on column 3,
lines 62-67; column 4, lines 1-3 and on Fig. 2. Monitoring of access to content is disclosed by
junkbusters.com on the second and third pages.

2. *The attorney argues that there is no teaching provided by the examiner that suggests
modifying the monitor of Bryant to become a validation service.* Bryant states in the cited
reference on column 4, lines 66-67 and on column 5, lines 1-14 that the monitor provides
monitoring functions that include utilizing any particular verification technique to verify that the
response received from the server is a correct response. This disclosure therefore hints at using a
monitoring server to verify user requests. Junkbusters.com discloses a situation whereby a proxy
is used to block certain requests for URLs that match its blockfile (pages 2 and 3). Hence it
would have been obvious to one of ordinary skill in the art to have the monitor that provides
monitoring functions that utilizes any particular verification technique to verify the response

received from the server to have one of such verification techniques to be one which can

determine if monitoring of user requests to access the received content is occurring (as disclosed

by junkbusters.com on pages 2 and 3).

3. *The attorney argues that the reference of Bryant and junkbusters.com are not combineable

due to non-analogous problems being solved by the two references.* The manner in which these

two references are analogous and combineable have already been discussed above.

4. *The attorney argues that Bryant does not teach comparing the set of identifiers to a return

identifier.* This is further met by Bryant on column 5, lines 2-25. The monitor saves a set of

URL's (i.e. identifiers) to a file and uses this saved characterization to compare against further

responses received from a server (column 5, lines 9-11). The examiner revealed this as being

inherent in the previous action because a 'natural step' in the verification process allows for the

comparing step to occur between the saved set of URL's (which acts as a characterization of

response received from the server initially) and further responses that will be received from the

server from subsequent user requests at a later time. Indication of monitoring of access is

disclosed by junkbusters.com on the second and third pages.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

Claims 1-39 are rejected under 35 U.S.C. 103(a) as being unpatentable over Bryant

(6286046 B1) in view of www.junkbusters.com.

With regards to Claim 1, Bryant meets the limitations of "requesting the content from a

source using a set of identifiers" on column 3, lines 34-35 and on Fig. 2; and "receiving the

content from the source to form received content, wherein at least one returned identifier is

returned from the source in which the at least one returned identifier represents a location of the

content" is met on column 4, lines 50-67; column 5, lines 1-3; and "sending identifiers to a

validation service wherein the identifiers includes the set of identifiers used to request the

received content" on column 3, lines 62-66, column 4, lines 50-64; and "each returned identifier

representing the location of the content at the source" on column 7, lines 66-67 and column 8,

lines 1-19;

The limitation of the indication of the monitoring of user requests to content and

selectively preventing receipt of content is not met explicitly by Bryant. However this limitation

is met by www.junkbusters.com on page 2 and 3. This reference discloses Internet Junkbusters

2.0.2. works as a proxy that checks every HTTP request against a list of URL's before delivering

the content. Furthermore, it stops almost all cookies by deleting them, as long as the cookies are approved for deletion. Hence, it provides the capability of detecting monitoring of access to content (by detecting cookies) and selectively preventing receipt of content.

Bryant possesses a web browser, a web server and a monitor that represents the validation service. The monitor acts like the validation service because it logically sits in between the web browser at the client's side and one or more servers and acts as a proxy by redirecting requests on behalf of the client to the server and receiving and performing verification of the server's response. The monitor does not only record sessions (as assumed by the attorney) but performs simulation of requests and verification processes on the response received from the server, to see if it is a correct response (Bryant, column 4, lines 50-67, column 5, lines 1-25. A possible response could be a situation whereby an accessed website generates spyware data such as a cookie that can track/monitor the user's web activity.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of www.junkbusters.com to that of Bryant because utilizing the monitor as a proxy to prevent the download of spyware or adware to the client's computer would prevent the client's computer from falling prey to network clogging/slowing software from being downloaded without the user's permission. This spyware prevention systems/softwares i.e. detection/prevention of monitoring is already well known in the art.

With regards to Claim 2, 10, 23 and 31 the limitation "wherein the source is a Web server" is met by Bryant on column 3, lines 34-35 and 39-42.

With respect to Claim 3 and 24, the limitation "wherein the content is a Web page" is
met by Bryant on column 3, lines 9-11.

With respect to Claim 4 and 25, the limitation "wherein the validation service is located
on a server" is met by Bryant on column 3, lines 57-59.

With respect to Claim 5, all the limitation is met by Bryant except the limitation disclosed
below.

The limitation of "presenting an indication of monitoring of user requests to access the
received content is occurring by the source; and responsive to receiving user input indicating that
receipt of additional content from the source should be prevented; and preventing receipt of
additional content from the source" is met by www.junkbusters.com on page 2 and 3.

It would have been obvious to one of ordinary skill in the art at the time the invention
was made to combine the teachings of www.junkbusters.com to that of Bryant because utilizing
the monitor as a proxy to prevent the download of spyware or adware to the client's computer
would prevent the client's computer from falling prey to network clogging/slowing software
from being downloaded without the user's permission. This spyware prevention
systems/softwares i.e. detection/prevention of monitoring is already well known in the art.

With respect to Claim 6, the limitation "including an identification of the source in a
service used to prevent receipt of content from identified sources" is met by Bryant on column 5,
lines 26-33.

With respect to Claim 7, 12, 28 and 33 the limitation "wherein the identifier is a

universal resource locator" is met by Bryant on column 3, lines 62-66.

With respect to Claim 8, Bryant meets the limitations of "receiving a request from a

requestor...wherein the request includes a set of identifiers used to access selected

content" is met on column 3, lines 62-66; and "in which the set of identifiers includes a

first number of identifiers sent by the requestor to the source to request the content and a

second number of identifiers returned by the source in which the second number of

identifiers represents a location of the content at the source returned to the requestor in

response to the first number of identifiers" on column 3, lines 59-66, column 7, lines 66-

67, column 8, lines 1-19 and 31-41; and "sending a new request using an identifier from

the first number of identifiers in the set of identifiers" is met on column 4, lines 15-24;

and "receiving a first response from the source, wherein the response includes a return

identifier" on column 4, lines 53-56; and "comparing the set of identifiers to the return

identifier and generating a second response ...by the source in response to an absence of

a match between the identifier and any identifier in the set of identifiers" inherently on

column 5, lines 3-14.

Bryant however does not meet the limitation of indication of monitoring of access. This

is however met by www.junkbusters.com on page 2 and 3, 2nd paragraph. The cookies

detected represent the detection of monitoring of access because this is the inherent

function of a cookie.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of www.junkbusters.com to that of Bryant because utilizing the monitor as a proxy to prevent the download of spyware or adware to the client's computer would prevent the client's computer from falling prey to network clogging/slowing software from being downloaded without the user's permission. This spyware prevention systems/softwares i.e. detection/prevention of monitoring is already well known in the art.

With respect to Claim 9 and 30, the limitation "sending the second response to the requestor" is met by Bryant on column 5, lines 29-33.

With respect to Claim 11 and 32, the limitation of "wherein the content is a Web page, wherein the first number of identifiers is a first universal resource locator sent by the requestor for the Web page, and wherein the second number of identifiers is a second universal resource locator that identifies a location of the Web page returned from the source in response to the requestor sending the first universal resource locator to the source" is met by Bryant on column 3, lines 61-66, column 7, lines 66-67, column 8, lines 1-19 and 31-41.

With respect to Claim 13 and 34, the limitation "wherein the set of identifiers are in an order used to reach the selected content and wherein the sending, receiving, and

comparing steps are performed for each of the identifiers within the set of identifiers" is

met by Bryant on column 5, lines 15-25.

With respect to Claim 14, the limitation "the step of generating the response comprise

placing an identification of the source in the response" is met by Bryant on column 5,

lines 3-9.

With respect to Claim 15, the limitation "wherein an identification of the source is a

domain name for the source" is met by Bryant on column 6, lines 45-48.

With respect to Claim 16, Bryant meets the limitations of "communications interface

receivers content from a network" is met on column 3, lines 14-20; and "a graphical user

interface used to display the content" is met on column 3, lines 20-21; and "a language

interpretation unit, wherein the language interpretation unit processes content received by the

communications interface for display on the graphical user interface" is met on column 3, lines

27-32; and "a detection unit, wherein the detection unit requests content from a source using a

set of identifiers; receives the content from the source to form received content; wherein at least

one returned identifier is returned from the source in which the at least one returned identifier

represents a location of the contents at the source; sends identifiers to a validation service,

wherein the identifiers includes the set of identifiers used to request the received content and

each returned identifier representing the location of the received content" is met by Bryant on

column 7, lines 65-67 and column 8, lines 1-20,31-41 and on column 4, lines 50-54. Bryant

however does not disclose the following limitation.

The limitation of "selectively prevents receipt of additional content from the source in

response to receiving a response from the validation service indicating monitoring of access to

received content" is met by www.junkbusters.com on page 2 and 3, 2nd paragraph. The

validation service is the Internet Junkbuster 2.02 working as a proxy.

It would have been obvious to one of ordinary skill in the art at the time the invention

was made to combine the teachings of www.junkbusters.com to that of Bryant because utilizing

the monitor as a proxy to prevent the download of spyware or adware to the client's computer

would prevent the client's computer from falling prey to network clogging/slowing software

from being downloaded without the user's permission. This spyware prevention

systems/softwares i.e. detection/prevention of monitoring is already well known in the art.

With respect to Claim 17, the limitation "wherein the language interpretation unit

interprets hypertext markup language statements" is met by Bryant on column 3, lines 34-36.

With respect to Claim 18, the limitation "wherein the language interpretation unit

interprets JavaScript" is met by Bryant on column 3, lines 27-32.

With respect to Claim 19, Bryant meets the limitations of "a bus" inherently in Fig. 2;

and " communications interface connected to the bus herein the communications interface is

configured for connection to a network" is met on column 3, lines 14-20; and "a processing unit

connected to the bus, wherein the processing unit executes instructions" is inherent in Fig. 2; and

"a memory connected to the bus, wherein the memory includes instructions used to request the

content from a source using a set of identifiers; receive the content from the source to form

received content, wherein at least one returned identifier is returned from the source in which the

at least one returned identifier represents a location of the received contents at the source; send

identifiers to a validation service, wherein the identifiers includes the set of identifiers used to

request the received content and each returned identifier representing the location of the received

content" on column 7, lines 65-67 and column 8, lines 1-20 an 31-41, Fig. 2 and on column 4,

lines 50-67; column 5, lines 1-3. Bryant does not disclose the limitation below.

The limitation of "selectively prevent receipt of additional content from the source in

response to receiving a response from the validation service indicating monitoring of user

requests to access to the received content is occurring" is met by www.junkbusters.com on the

second and third pages.

It would have been obvious to one of ordinary skill in the art at the time the invention

was made to combine the teachings of www.junkbusters.com to that of Bryant because utilizing

the monitor as a proxy to prevent the download of spyware or adware to the client's computer

would prevent the client's computer from falling prey to network clogging/slowing software

from being downloaded without the user's permission. This spyware prevention

systems/softwares i.e. detection/prevention of monitoring is already well known in the art.

With respect to Claim 20, the limitations "wherein the communications interface is one

of a network adapter and a modem" is met inherently by Bryant in Fig. 2. This is because these

components are necessary for the computer in the diagram to have access to the network, to

which it is connected to.

With respect to Claim 21, Bryant meets the limitations of "a bus" is met in Fig. 2; and

"a communications interface connected to the bus wherein the communications interface is

configured for connection to a network" is met on column 3, lines 14-20; and "a processing unit

connected to the bus, wherein the processing unit executes instructions" is inherent in Fig. 2; and

"a memory connected to the bus, wherein the memory includes instruction; used to receive a

request from a requestor to determine whether a source of the content is monitoring access by the

requestor in which the request includes a set of identifiers used to access selected content in

which the set of identifiers includes a first number of identifiers returned by the source in which

the second number of identifiers represents a location of the content at the source returned to the

requestor in response to the first number of identifiers; send a new request to the source using an

identifier from the first number of identifiers in the set of identifiers, receive a first response

from the source in which the response includes a return identifier, compare the set of identifiers

to the return identifier, and generate a second response indicating the monitoring of access by the

requestor for content by the source in response to an absence of match between the return

identifier and any identifier in the set of identifiers" is partly in Fig. 2 and partly in the following:

on column 10, line 67 and on column 3, lines 59-66, column 7, lines 66-67, column 8, lines 1-19

and 31-41. The aspect of the above limitation that is not met by Bryant is the determination of

whether the source of the content is monitoring access by the requestor and this is met by

www.junkbusters.com on page 2 and 3, 2nd paragraph.

It would have been obvious to one of ordinary skill in the art at the time the invention

was made to combine the teachings of www.junkbusters.com to that of Bryant because utilizing

the monitor as a proxy to prevent the download of spyware or adware to the client's computer

would prevent the client's computer from falling prey to network clogging/slowing software

from being downloaded without the user's permission. This spyware prevention

systems/softwares i.e. detection/prevention of monitoring is already well known in the art.

With respect to Claim 22, Bryant meets the limitations of "requesting means for

requesting the content from a source using a set of identifiers" is met on column 3, lines 34-35;

and "receiving means for receiving the content from the source to form a received content,

wherein at least one returned identifier is returned from the source in which the at least one

returned identifier represents a location of the content at the source" is met on column 4, lines

50-67 and column 5, lines 1-3; and "sending means for sending identifiers to a validation service,

wherein the identifiers includes the set of identifiers used to request the received content and

each returned identifier representing the location of the received content" on column 3, lines 62-

66; column 4, lines 1-3; column 7, lines 65-67 and on column 8, lines 1-20 and 31-41. Bryant

however does not meet the below limitation.

The limitation of "preventing means responsive to receiving a response from the

validation service indicating the monitoring of user requests to access to the received content is

occurring, for selectively preventing receipt of additional content from the source" is met by

www.junkbusters.com on page 2 and 3, 2nd paragraph.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of www.junkbusters.com to that of Bryant because utilizing the monitor as a proxy to prevent the download of spyware or adware to the client's computer would prevent the client's computer from falling prey to network clogging/slowing software from being downloaded without the user's permission. This spyware prevention systems/softwares i.e. detection/prevention of monitoring is already well known in the art.

With respect to Claim 26, all the limitation is met by Bryant except for the following limitation.

The limitation of "presenting means for presenting an indication of monitoring by the source; and means responsive to receiving user input indicating that receipt of the additional content from the source should be prevented, for preventing receipt of additional content from the source" is met by www.junkbusters.com on page 2 and 3, 2nd paragraph.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of www.junkbusters.com to that of Bryant because utilizing the monitor as a proxy to prevent the download of spyware or adware to the client's computer would prevent the client's computer from falling prey to network clogging/slowing software from being downloaded without the user's permission. This spyware prevention systems/softwares i.e. detection/prevention of monitoring is already well known in the art.

With respect to Claim 27, the limitation "including means for including an identification

of the source in a service used to prevent receipt of content from identified sources" is met by

Bryant on column 5, lines 26-33.

With respect to Claim 29, its limitations are similar to Claim 8 limitation and hence its

rejection can be found therein.

With respect to Claim 35, the limitation "wherein the generating means comprises

placing means for placing an identification of the source in the response" is met by Bryant on

column 5, lines 3-9.

With respect to Claim 36, the limitation "wherein an identification of the source is a

domain name for the source" is met by Bryant on column 6, lines 45-48.

With respect to Claim 37, its limitation is similar to Claim 1 limitation and hence its

rejection can be found therein.

With respect to Claim 38, its limitation is similar to Claim 8 limitation and hence its

rejection can be found therein.

With respect to Claim 39, the limitation of "wherein the content is a plurality of Web

pages, wherein the first number of identifiers contain first universal resource locators sent by the

requestor for the plurality of Web pages, and wherein the second number of identifiers contain

second universal resource locators that identify the plurality of Web pages returned from the

source in response to the requestor sending the first universal resource locators to the source" is

met by Bryant on column 3, lines 9-11, column 2, lines 5-19, column 8, lines 31-41.

Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in this

Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a).

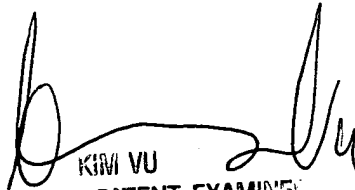Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE

MONTHS from the mailing date of this action. In the event a first reply is filed within TWO

MONTHS of the mailing date of this final action and the advisory action is not mailed until after

the end of the THREE-MONTH shortened statutory period, then the shortened statutory period

will expire on the date the advisory action is mailed, and any extension fee pursuant to 37

CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event,

however, will the statutory period for reply expire later than SIX MONTHS from the date of this

final action.

Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Tracey Akpati whose telephone number is 571-272-3846. The

examiner can normally be reached on 8.30am-6.00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Kim Vu can be reached on 571-272-3859. The fax phone number for the

organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent

Application Information Retrieval (PAIR) system. Status information for published applications

may be obtained from either Private PAIR or Public PAIR. Status information for unpublished

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OTA

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